

Express Mail: EV 630723091 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No: To be assigned
Applicant: VERMEIJ, P.
Confirmation No: To be assigned
Filed: January 18, 2006
Group Art Unit: To be assigned
Examiner: To be assigned
For: Hybrid Toxins Comprising Shiga-Like Toxin Subunits Fused to
Escherichia Coli Heat Labile Enterotoxin Subunits and Vaccines
Thereof

Attorney Docket: I-2003.006 US

Corresponding to: PCT/EP2004/051522, filed July 16, 2004

January 18, 2006

INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 CFR 1.97(b)

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

The attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached Form PTO-SB-08A and PTO-SB-08B. These references were cited in the parent case. Copies of the cited references are enclosed.

No fee or certification is required in connection with this Information Disclosure Statement, since it is being submitted prior to the last of (1) issuance of a first official action on the merits and (2) expiration of the three month period following filing of the above-captioned application.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. It is respectfully requested that the

U.S. National Phase of PCT/EP2004/051522

Appl. No. To be assigned

Attorney Docket: I-2003.006 US

Information Disclosure Statement

Express Mail: EV 630723091 US

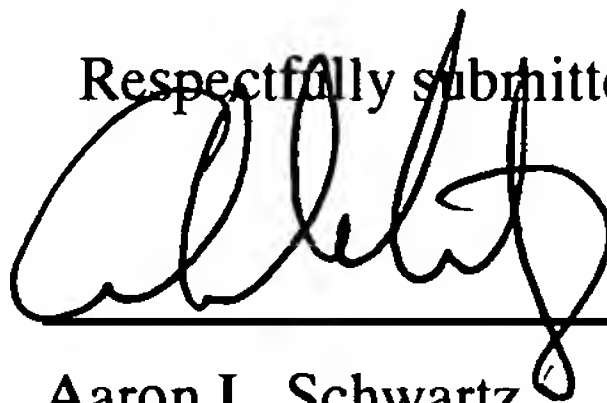
information be considered during the prosecution of this application and that the cited documents be listed on the front page of any patent issuing from this application.

Applicant directs the Examiner to EP 1057895 A1, which is not in English. This patent was cited in the International Search Report of the captioned application's corresponding International Application (i.e., PCT/EP2004/051522, filed July 16, 2004). A copy of this International Search Report is provided herewith.

Applicant does not believe that any other fee is due in connection with this filing. If, however, Applicant does owe any such fee(s), the Commissioner is hereby authorized to charge the fee(s) to Deposit Account No. **02-2334**. In addition, if there is ever any other fee deficiency or overpayment under 37 C.F.R. §1.16 or 1.17 in connection with this patent application, the Commissioner is hereby authorized to charge such deficiency or overpayment to Deposit Account No. **02-2334**.

Applicant submits that this application is in condition for allowance, and requests that it be allowed. The Examiner is requested to call the Undersigned if any issues arise that can be addressed over the phone to expedite examination of this application.

Respectfully submitted,



Aaron L. Schwartz,
PTO Reg. No: 48,181
Patent Counsel
Patent Department
Intervet Inc.
P.O. Box 318
29160 Intervet Lane
Millsboro, DE 19966
(302) 933-4034 (tel)
(302) 934-4305 (fax)

ALS:dap

IAP12 Rec'd PCT/FTO 10 JAN 2006

Express Mail: EV 630723091 US

PTO/SB/08A (07-05)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO <h1>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h1> <p><i>(Use as many sheets as necessary)</i></p>				Complete if Known	
				Application Number	To be assigned
				Filing Date	January 18, 2006
				First Named Inventor	VERMEIJ, Paul
				Art Unit	To be assigned
				Examiner Name	To be assigned
				Attorney Docket Number	I-2003.006 US
Sheet	1	of	1		

[illegible]

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		WO 01/70945 A1	09-27-2001	SIBTECH, INC		
		WO 01/89456 A2	11-29-2001	The Administrators of...		
		EP 1 057 895 A1	12-06-2001	Lohmann Animal Health...		

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

10/565183

IAP12 Rec'd PCT/PTO 18 JAN 2006

Express Mail: EV 630723091 US

PTO/SB/08B (07-05)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known	
		Application Number	To be assigned
		Filing Date	January 18, 2006
		First Named Inventor	VERMEIJ, Paul
		Art Unit	To be assigned
		Examiner Name	To be assigned
Sheet 1	of 2	Attorney Docket Number	I-2003.006 US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		ABHINEET S. SHEORAN ET AL., Stx2-Specific Human Monoclonal..., Infection and Immunity, June 2003, p. 3125-3130, Vol.71 No.6, American Society for Microbiology, US	
		JEAN MUKHERJEE ET AL., Human Stx2-Specific Monoclonal Antibodies..., Infection and Immunity, Feb. 2002, p.612-619, Vol. 70 No. 2, American Society for Microbiology, US	
		DAVID L. MACLEOD ET AL., Purification and Characterization of an..., Infection and Immunity, May 1990, p.1232-1239, Vol. 58 No.5, American Society for Microbiology, US	
		FRANCES POUCH DOWNES ET AL., Affinity Purification and Characterization..., Infection and Immunity, Aug. 1988, p. 1926-1933, Vol. 56 No.8, American Society for Microbiology	
		B. WOLFANGER BELISLE ET AL., Monoclonal Antibodies..., Infection and Immunity, Dec. 1984, p. 759-764, Vol. 46 No. 3, American Society for Microbiology, US	
		B. WOLFANGER BELISLE ET AL., Characterization of Monoclonal..., Infection and Immunity, March 1984, p. 1027-1032, Vol. 43 No. 3, American Society for Microbiology, US	
		CLAUDIA JEMAL ET AL., Analysis of Shiga Toxin..., Journal of Bacteriology, June 1995, p.3128-3132, Vol. 177 No. 11, American Society for Microbiology, US	
		ANGELA R. MELTON-CELSA ET AL., Activation of Shiga toxin..., Molecular Microbiology, 2002, p. 207-215, Vol. 43 No. 1, Blackwell Science, Ltd	
		CHIARA RODIGHIERO ET AL., Structural Basis for..., The J. of Biological Chemistry, Feb. 12, 1999, p. 3962-3969, Vol. 274 No. 7, Amer. Soc. for Biochemistry and Molecular Bio.	
		MICHAEL MARTIN ET AL., Recombinant Antigen-Exerotoxin..., Infection and Immunity, Jan. 2001, p. 252-261, Vol. 69 No. 1, American Society for Microbiology, US	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.
This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known	
		Application Number	To be assigned
		Filing Date	January 18, 2006
		First Named Inventor	VERMEIJ, Paul
		Art Unit	To be assigned
		Examiner Name	To be assigned
Sheet 2	of 2	Attorney Docket Number	I-2003.006 US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		MICHAEL G. JOBLING ET AL., Fusion Proteins Containing..., Infection and Immunity, Nov. 1992, p. 4915-4924, Vol.60 No.11, American Society for Microbiology, US	
		ETHAN A. MERRITT ET AL., AB5 Toxins... Current Opinion in Structural Biology, 1995, p.165-171, Vol. 5, Current Biology Ltd.	
		JAMES C. PATON ET AL., Pathogenesis and Diagnosis..., Clinical Micro. Reviews, July 1998, p. 450-479, Vol. 11 No. 3, American Society for Microbiology, US	
		M. LEBENS ET AL., Synthesis of Hybrid Molecules..., Infection and Immunity, June 1996, p. 2144-2150, Vol. 64 No. 6, American Society for Microbiology, US	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.
This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.